

H-597-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

Patentee: K. OZAWA et al

Patent No.: 6,470,432 B2

Issued: October 22, 2002

For: EXTERNAL STORAGE CONTROL DEVICE AND DATA
TRANSFER METHOD BETWEEN EXTERNAL STORAGE
CONTROL DEVICES

STATEMENT UNDER 37 CFR §3.73(b)

Commissioner for Patents
Mail Stop Reissue
Alexandria, VA 22313-1450

September 28, 2004

Sir:

The assignee of the entire right, title and interest in and to the invention which is the subject of this reissue application is Hitachi, Ltd. The chain of Title from the inventors of the patent identified above to the current assignee is set forth in the assignment document recorded in the U.S. Patent and Trademark Office on June 3, 1999 at Reel 009992/Frame 0903.

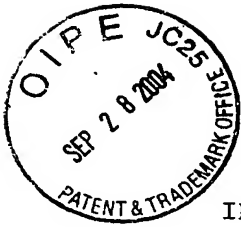
AUTHORIZATION TO SIGN STATEMENT

The undersigned attorney is authorized to sign this statement on behalf of the assignee.

Respectfully submitted,

Daniel J. Stanger
Registration No. 32,846
Attorney for Applicants

MATTINGLY, STANGER & MALUR
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: September 28, 2004



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DECLARATION, POWER OF ATTORNEY AND PETITION

Mail Stop REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby declare that:

Each inventor's citizenship, residence, and post office
address are stated below next to his or her name.

Koji OZAWA
Citizenship: Japan
Residence: Odawara, Japan
Post Office Address: Guresuokutsu 305
315, Nakazone, Odawara-shi
Kanagawa-ken, JAPAN.

Kazuhide SANO
Citizenship: Japan
Residence: Odawara, Japan
Post Office Address: 72-528, Naruda, Odawara-shi
Kanagawa-ken, JAPAN.

Takeshi KOIDE
Citizenship: Japan
Residence: Odawara, Japan
Post Office Address: 785-306, Kamonomiya, Odawara-shi
Kanagawa-ken, JAPAN.

Katsunori NAKAMURA
Citizenship: Japan
Residence: Odawara, Japan
Post Office Address: 1414-1-502, Sakawa, Odawara-shi
Kanagawa-ken, JAPAN.

I believe the inventors named below to be the original and first inventors of the subject matter which is described and claimed in U.S. Patent No. 6,470,432 B2, granted October 22, 2002, and for which a reissue patent is sought on the invention entitled: EXTERNAL STORAGE CONTROL DEVICE AND DATA TRANSFER METHOD BETWEEN EXTERNAL STORAGE CONTROL DEVICES, the specification of which was filed on July 9, 2003.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to in the declaration.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37 Code of Federal Regulations Section 1.56.

I verily believe that U.S. Patent No. 6,470,432 B2, is through error, without any deceptive intention, wholly or partly inoperative or invalid, by reason of the patentees claiming more or less than the patentees had a right to claim in the patent. More specifically:

ERROR

The patentees had a right to claim all aspects of the invention. There is an error in that the patentees claimed less than they had a right to claim in the patent.

To correct the error through the present reissue application, the applicants for reissue have submitted new claims 12-31, which are supported by the original disclosure and drawings of the patent.

Claims 12-28 are directed to a storage system including a plurality of disk drives and a disk controller, wherein the disk controller is arranged to be connected to another disk controller, and to obtain information on a support function of the another disk controller. Support for claims 12-28 is found, for example, in column 4, lines 2-67.

Claims 29-30 are directed to a storage system including a plurality of disk drives and a disk controller, wherein the disk controller is connected to another storage system and transfers a read command, received from a host processor, to the another storage system in the case where object data for the read command exists in the another storage system. Claims 29-30 are supported, for example, by column 3, lines 28-35 and column 4, line 2 through column 5, line 41.

Claim 31 is directed to a storage system including a plurality of disk drives and a disk controller, wherein the

disk controller is connected to another disk controller which supports another function against the first disk controller. Claim 31 is supported, for example, by column 4, lines 2-48.

ERROR STATEMENT

All errors in the present reissue application up to the time of signing of this declaration arose without any deceptive intention on the part of the applicant.

POWER OF ATTORNEY

As the named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with any divisional, continuation, continuation-in-part, reissue or reexamination application, with full power of appointment and substitution of associate attorneys and agents, and to receive all patents which may issue thereon;

John R. Mattingly, Registration No. 30,293;
Daniel J. Stanger, Registration No. 32,846;
Shrinath Malur, Registration No. 34,663;
Gene W. Stockman, Registration No. 21,021;
Colin D. Barnitz, Registration No. 35,061; and
Jeffrey M. Ketchum, Registration No. 31,174.

Address all future correspondence to:

MATTINGLY, STANGER & MALUR, P.C.
1800 Diagonal Road, Suite 370
Alexandria, Virginia 22314
(703) 684-1120

Please associate this application with Customer No. 24956.

PRIORITY

Under the provisions of 35 U.S.C. §119 or §365, I hereby affirm the right of priority based on Japanese Patent Application No. 8-002050, filed January 10, 1996 in Japan, a certified copy of which priority document was filed in U.S. Patent Application Serial No. 08/779,471, now U.S. Patent No. 5,978,890, and a claim for priority based thereon which was filed in the application resulting in Letters Patent No. 6,470,432 B2, reissue of which is sought by the present reissue application.

BEST AVAILABLE COPY

Reissue Application

H-597-04

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Sep. 10, 2004
Date

Sep. 10, 2004
Date

Sep. 10, 2004
Date

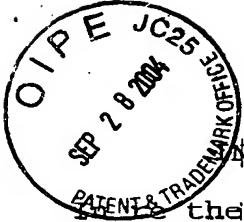
Sep. 10, 2004
Date

Koji Ozawa
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Kazuhide Sano
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Takeshi Koide
Takeshi KOIDE

Katsunori Nakamura
Katsunori NAKAMURA



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CONTROL DEVICES

CONSENT OF ASSIGNEE TO REISSUE

Commissioner of Patents
Mail Stop Reissue
Alexandria, VA 22313-1450

Sir:

The undersigned, assignee of the entire interest in the
above-mentioned reissue application for Letters Patent
6,470,432 B2, hereby consents to the accompanying reissue
application.

HITACHI, LTD.

Date



Name: Yasuo SAKUTA, Patent Attorney
Title: Executive Officer,
Intellectual Property Group
(Authorized Signing Officer)